

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SIXTEENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 14411 of 2004

Between:

M/s. STADS Limited, rep., by N.Seshadri, Manager (Administration) Plot No.201, First Floor, 3-6-181/1, Road No.17, Himayatnagar, Hyderabad-29, having its registered office at No.2 Kasturi Rangan Road, Alwarpet, Chennai-18.

..... PETITIONER

AND

- 1 The Commercial Tax Officer, Narayanaguda Circle, Hyderabad.
- 2 The Appellate Deputy Commissioner of Commercial Tax, Hyderabad.
- 3 The UTI Bank, rep., by Branch Manager,
No.5, Thyagaraja Road, T.Nagar, Chennai.
- 4 The ICICI Bank Limited, rep., by Branch Manager,
Himayatnagar, Hyderabad.

....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction, more particularly one in the nature of writ of mandamus: i) declaring the action of the respondent authorities in passing the orders dated 7/7/2004 in Assessment No.2165/02-03, 2165/03-04, 2165/04-05 and order dated 15-7-2004 in proceedings Rc.No.01/2165/04-05, and the order dated 24-7-2004 in proceedings Rc.No.ABS/05/1/2165/04-05, as arbitrary, illegal and violative of Article 14 of the Constitution of India and contrary to the provisions of A.P. General Sales tax Act

Counsel for the Petitioner: MR.M.RAJENDER REDDY

Counsel for the Respondent Nos. 1 and 2: GP FOR COMMERCIAL

TAX

Counsel for the respondents 3 and 4:

The Court at the stage of admission made the following :

HON'BLE MR. JUSTICE BILAL NAZKI

AND

HON'BLE MR. JUSTICE S. ANANDA REDDY

W.P.NO. 14411 OF 2004

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ORDER: (Per Hon'ble Mr. Justice Bilal Nazki)

Heard learned counsel for the parties. In this writ petition the petitioner has challenged orders dated 7.7.2004 and 24.7.2004 passed by respondents. These orders are consequential orders to provisional assessment order which is already subject matter of an appeal before the appellate authority. In this view of the matter, we do not think that this writ petition is maintainable. If the petitioner has any grievance with regard to the consequential orders to provisional assessment order against which an appeal is pending, he can approach the appellate authority itself. The writ petition is dismissed. No costs.

BN J.

SAR J.

Dt.16.8.2004

KR

Sd/-

Asst. Registrar

//True Copy//

Section Officer

To

- 1 The Commercial Tax Officer, Narayanaguda Circle, Hyderabad.
- 2 The Appellate Deputy Commissioner of Commercial Tax, Hyderabad.
- 3 The Branch Manager, UTI Bank, No.5, Thyagaraja Road, T.Nagar,
Chennai.
- 4 The Branch Manager, ICICI Bank Limited, Himayatnagar, Hyderabad.
5. 2 CCs to G.P. for Commercial Tax, High Court Buildings, Hyderabad
(out)
6. 2CD copies